

Claims:

1 1. (Original) A method for use in a packet network in which data is
2 transferred over virtual circuit connections each having an associated sustained data rate
3 guaranteed by said network, said network allowing data to be transferred over a
4 connection at a data rate greater than its associated sustained data rate as a function of
5 network load conditions, the method comprising:

6 (a) causing said packet network to provision a first virtual circuit connection
7 over said packet network for transfer of data between a first user and a second user, said
8 first virtual circuit connection having a first associated sustained data rate;

9 (b) transferring data between said first user and said second user over said
10 connection; and

11 (c) in response to a determination that said transferring is not achieving a
12 predetermined minimum desired level of data flow, causing said packet network to
13 automatically and substantially immediately provision a second virtual circuit connection
14 over said packet network for said transfer of data from said first user to said second user,
15 said second virtual circuit connection having a second associated sustained data rate that
16 is greater than said first sustained data rate.

1 2. (Original) The method of claim 1 further comprising
2 in response to a determination that said transferring is exceeding a predetermined
3 maximum desired level of data flow, causing said packet network to automatically and
4 substantially immediately provision a third virtual circuit connection over said packet
5 network for said transfer of data from said first user to said second user, said third virtual
6 circuit connection having a third associated sustained data rate that is lower than said
7 second sustained data rate.

1 3. (Original) The method of claim 2, wherein said network provisions each
2 said virtual circuit connection in response to a respective call setup message indicating
3 the associated sustained data rate.

1 4. (Currently Amended) A method of transferring data over a packet network
2 of a type that guarantees the transfer of data at at least a requested minimum data rate and
3 that transfers data at greater than the requested rate on a non-guaranteed basis, the
4 method comprising requesting from causing said network to provision two or more circuit
5 connections having respective different ~~varying selected minimum data rates during the~~
6 transfer of data between first and second parties, said two or more circuit connections
7 being provisioned ~~varying minimum data rates being selected as a function of the actual~~
8 data flow between said parties and in such a way as to achieve a desired overall data flow
9 rate.

1 5. (Currently Amended) The method of claim 4 wherein said ~~requesting~~
2 causing said network to provision two or more circuit connections comprises causing said
3 network to drop a first virtual circuit connection having a first bandwidth and to create a
4 second virtual circuit connection having a second bandwidth. ~~provision successive virtual~~
5 ~~circuit connections to transfer corresponding successive portions of said data, each~~
6 ~~connection having a respective requested minimum data rate.~~

1 6. (Currently Amended) The method of claim 5 wherein said causing said network
2 to drop the first virtual circuit connection and to create the second virtual circuit connection
3 ~~provision virtual circuit connections~~ comprises communicating respective call setup
4 messages to said network.